

DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

FAULT TOLERANT APPARATUS AND METHOD FOR DETERMINING A REVOLUTION RATE OF A GEAR

the specification of which:

(check one)

is attached hereto;

was filed as United States Application Serial No. ___ on ___, and was amended on (if applicable);

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information which is known to me to be material to the patentability of said invention in accordance with 37 C.F.R. §1.56;

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

(Application Number)

(Filing Date) (day, month, year)

(Application Number)

(Filing Date) (day, month, year)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States

Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: **David R. BROWN**

Inventor's signature David R. Brown Date April 29, 2002
Residence: Webster, Texas
Citizen of: United States
Post Office Address: 106 Sandy Shore Drive, League City, Texas 77573

Full name of second inventor: **Matthew C. MEYER**

Inventor's signature _____ Date _____
Residence: Irvine, California
Citizen of: United States
Post Office Address: 8 Cabot, Irvine, California 92620

Full name of third inventor: **Ajay P. MISHRA**

Inventor's signature _____ Date _____
Residence: Irvine, California
Citizen of: United States
Post Office Address: 36 Whispering Pine, Irvine, California 92620

Full name of fourth inventor: **Jeffrey A. NORRIS**

Inventor's signature _____ Date _____
Residence: Lake Forest, California
Citizen of: United States
Post Office Address: 24332 Grass Street, Lake Forest, California 92630

Full name of fifth inventor: **David C. RASMUSSEN**

Inventor's signature _____ Date _____
Residence: Placentia, California
Citizen of: United States
Post Office Address: 1388 Roxborough Drive, Placentia, California 92870

Attorney Docket No: TRCX-003/00US

PATENT

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Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: David R. BROWN

Inventor's signature _____ Date _____

Residence: Webster, Texas

Citizen of: United States

Post Office Address: 106 Sandy Shore Drive, League City, Texas 77573

Full name of second inventor: Matthew C. MEYER

Inventor's signature Matthew C. Meyer Date 4/26/02

Residence: Irvine, California

Citizen of: United States

Post Office Address: 8 Cabot, Irvine, California 92620

Full name of third inventor: Ajay P. MISHRA

Inventor's signature Ajay P. Mishra Date 4/26/2002

Residence: Irvine, California

Citizen of: United States

Post Office Address: 36 Whispering Pine, Irvine, California 92620

Full name of fourth inventor: Jeffrey A. NORRIS

Inventor's signature Jeffrey A. Norris Date 4/26/2002

Residence: Lake Forest, California

Citizen of: United States

Post Office Address: 24332 Grass Street, Lake Forest, California 92630

Full name of fifth inventor: David C. RASMUSSEN

Inventor's signature David C. Rasmussen Date 4-26-2002

Residence: Placentia, California

Citizen of: United States

Post Office Address: 1388 Roxborough Drive, Placentia, California 92870

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of David R. BROWN et al.

Serial No.: Unassigned

Examiner: Unassigned

Confirmation No.: Unassigned

Art Unit: Unassigned

Filed: Herewith

For: FAULT TOLERANT APPARATUS AND METHOD FOR DETERMINING A REVOLUTION RATE OF A GEAR

Commissioner for Patents
Washington, D.C. 20231

**POWER BY ASSIGNEE
AND STATEMENT UNDER 37 C.F.R. §3.73(b)**

The Assignee of the entire right, title, and interest in the above-identified application hereby grants the registered practitioners of Cooley Godward LLP included in the Customer Number provided below power to act, prosecute, and transact all business in the U.S. Patent and Trademark Office in connection with this application, any applications claiming priority to this application, and any patents issuing therefrom.

The Assignee certifies that to the best of its knowledge and belief it is the owner of the entire right, title, and interest in and to the above-identified application as evidenced by:

- An assignment document, a copy of which is enclosed herewith;
- An assignment previously recorded in the U.S. Patent and Trademark Office at Reel __, Frame __.

Please direct all telephone calls and correspondence to:

COOLEY GODWARD LLP
ATTN: Patent Group
One Freedom Square
Reston Town Center
11951 Freedom Drive
Reston, VA 20190-5656
Tel: (703) 456-8000
Fax: (703) 456-8100

CUSTOMER NUMBER: **022903**

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the Assignee.

Date: May 6, 2002 Signature: Gerard J. McCann
Name: Gerard J. McCann
Title: Vice President, R&D
Company: Invensys Systems, Inc.